

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2011 NB 039

IN THE MATTER OF THE LICENSE OF: )  
 )  
JANICE ECHOLS NELSON, R.N., )  
 )  
LICENSE NO: 28175739A. (Expired) )



COMPLAINT

The State of Indiana (Petitioner), by counsel, Deputy Attorney General David A. Fleischhacker, on behalf of the Office of the Attorney General, and pursuant to Ind. Code § 25-1-7-7, Ind. Code ch. 25-1-5, Ind. Code § 25-23-1-7, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, files its Complaint against the Indiana nursing license of Janice Echols Nelson, R.N. (Respondent), and in support alleges and states the following:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 2506 Malden Rd., Apt. D, Lafayette, Indiana 47909. Respondent is a Registered Nurse (R.N.) in the State of Indiana having been issued license number 28175739A in September 2007. Respondent's license expired on October 31, 2009.
2. On or about March 12, 2008, Respondent was hired as an R.N. at Heritage Healthcare (Heritage) located in West Lafayette, Indiana.
3. On or about April 22, 2008, a licensed practical nurse and a certified nursing assistant at Heritage reported that on April 21, 2008, they saw Respondent place a wash cloth over Patient A's face and plug Patient A's nose in order to get her to take medication administered in thin liquid. Patient A was lying flat in bed at the time the medication was

administered. The patient had a medication administration record (MAR) order for thickened liquids. Respondent told both witnesses not to tell anyone.

4. On or about April 23, 2008, Respondent admitted to the Assistant Director of Nursing at Heritage that she put the wash cloth on Patient A's face and she administered thin liquids. Respondent was told she would be terminated and was allowed to resign her employment with Heritage.

### **COUNT I**

5. Paragraphs 1 through 4 are hereby incorporated by reference herein.

6. Respondent violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent has continued to practice although she has become unfit to practice due to her failure to keep abreast of current professional theory or practice as evidenced by Respondent putting a wash cloth on Patient A's face and plugging Patient A's nose in order to administer medication and administering thin liquids when the MAR order was for thickened liquids; using unsafe judgment, technical skills, or inappropriate interpersonal behaviors in providing nursing care is deemed unprofessional conduct pursuant to 848 IAC 2-2-3(1).

### **COUNT II**

7. Paragraphs 1 through 4 are hereby incorporated by reference herein.

8. Respondent violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent has continued to practice although she has become unfit to practice due to her failure to keep abreast of current professional theory or practice as evidenced by Respondent putting a wash cloth on Patient A's face and plugging Patient A's nose to administer medication; abusing a patient/client verbally, physically, emotionally, or sexually is deemed unprofessional conduct pursuant to 848 IAC 2-2-3(5).

**WHEREFORE**, Petitioner demands an order against Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and,
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Greg Zoeller  
Attorney General of Indiana  
Attorney No. 1958-98

By:



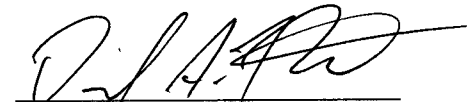
David A. Fleischhacker  
Deputy Attorney General  
Attorney No. 28563-49

**CERTIFICATE OF SERVICE**

I certify that a copy of the "Complaint" has been duly served upon all parties listed below, by United States mail, first-class, postage prepaid, on this 23<sup>rd</sup> day of February, 2011.

Janice Echols Nelson  
2506 Malden Rd., Apt. D  
Lafayette, IN 47909

By:



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Deputy Attorney General  
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